

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA APPROVING THE RESTATED AND
AMENDED COOPERATION AGREEMENT BETWEEN THE
CITY AND THE HOUSING AUTHORITY OF THE CITY OF
SANTA BARBARA CONCERNING THE HOUSING
AUTHORITY'S PAYMENT TO THE CITY'S GENERAL
FUND OF "PAYMENT IN LIEU OF TAXES" FROM
CERTAIN HOUSING AUTHORITY RENTAL PROJECTS,
AND AUTHORIZING THE MAYOR TO EXECUTE SUCH
AGREEMENT

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all its citizens;

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, (herein called the "Act"), the Department of Housing and Urban Development (herein called "HUD") is authorized to provide financial assistance to local public housing agencies (hereinafter called "Local Authority") for undertaking and carrying out the development and operation of low-income housing projects that will assist in meeting this goal;

WHEREAS, Section 34313 of the California Health and Safety Code, as amended, provides that no low-rent housing project shall be developed, constructed, or owned by the Local Authority until the governing body of the locality has by resolution approved such projects;

WHEREAS, pursuant to Section 5(e)(2) of the Act, as amended, before HUD can provide financial assistance to a local low-income housing project, it is necessary that the local governing body enter into a Cooperation Agreement with the Local Authority providing for local cooperation in connection with such housing project;

WHEREAS, pursuant to Section 34515 of the California Health and Safety Code express authority is given for local governing bodies to enter into agreements with housing authorities providing for local cooperation with respect to low-income housing projects;

WHEREAS, the City of Santa Barbara ("City") and the Housing Authority of the City of Santa Barbara ("City Housing Authority") did in fact enter into a Cooperation Agreement on October 28, 1969, and subsequently amended the Agreement on July 1, 1986, for the development of 600 units of low-income housing, and amended the Agreement again on June 6, 1989 for the development of an additional 300 units of low-income housing as authorized by the voters of the City of Santa Barbara in the special municipal election held on November 4, 1980;

WHEREAS, in the Cooperation Agreement the City has agreed to provide all City services such as fire and police protection at no cost to all Housing Authority projects funded by HUD;

WHEREAS, the Cooperation Agreement allows the Housing Authority to make a Payment In-Lieu of Taxes to the City in order for the City to recoup some of the City's costs in providing City services to Housing Authority projects funded by HUD, and the Housing Authority wishes to make such payments;

WHEREAS, the City and the City Housing Authority wish to amend the Cooperation Agreement to conform the Cooperation Agreement to State law regarding the payment and receipt of Payment In-Lieu of Taxes funds, and these amendments are reflected in the proposed Restated and Amended Cooperation Agreement attached hereto;

WHEREAS, the notices for a public hearing regarding the Restated and Amended Cooperation Agreement have been published pursuant to Government Code 6066 and there has been made available at least three copies of the proposed Restated and Amended Cooperation Agreement for inspection by interested persons prior to the public hearing; and

WHEREAS, the City Council has held a public hearing starting at the hour of 2:00 P.M. on the 8th of June, 2010, giving all interested persons an opportunity to be heard as to whether the proposed Restated and Amended Cooperation Agreement in the form attached hereto should be entered into, which hearing has been concluded with all matters in connection therewith having been fully considered by this body.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City Council of the City of Santa Barbara does hereby approve receiving Payment In-Lieu of Taxes to the City as provided for in the Restated and Amended Cooperation Agreement.

SECTION 2. The City, after having held a public hearing and giving all interested persons an opportunity to be heard, hereby agrees to enter into the Restated and Amended Cooperation Agreement in substantially the form attached hereto with the City Housing Authority.

SECTION 3. The Mayor of the City of Santa Barbara is hereby authorized and directed to execute such Restated and Amended Cooperation Agreement in the name and on behalf of the City of Santa Barbara and the City Administrator/City Clerk is hereby authorized and directed to affix or impress the official seal of this governing body thereon and to attest the same.